

IN THE CIRCUIT COURT OF LINCOLN, COUNTY, MISSISSIPPI

JOSHUA LAMBERT

PLAINTIFF

V.

CIVIL ACTION NO.: CI2020-0449-LS

FEDERAL EXPRESS CORPORATION
AND JOHN DOES 1 AND 2

DEFENDANTS

SUMMONS

TO: CT Corporation System, Registered Agent for
Federal Express Corporation
645 Lakeland East Drive, Suite 101
Flowood, Mississippi 39232

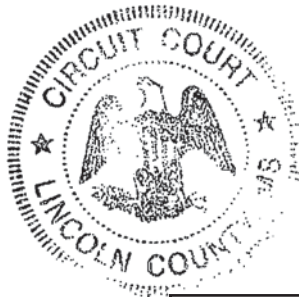
NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND
YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Edwin L. Bean, Jr., Attorney at Law, whose mailing address is P.O. Box 1322, McComb, Mississippi, 39649-1322, and whose street address is 729 Delaware Avenue, McComb, Mississippi 39648. Your response must be mailed or delivered within (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original Notice of Service of your response with the clerk of this court within a reasonable time afterward.

Issued under my hand and the seal of said court, this 1st day of October, 2020.



By: Astelia Rice, D.C.
Hon. Dustin Bairfield
Lincoln County Circuit Clerk
301S. First Street, Room 205
Brookhaven, Mississippi 39601

EXHIBIT
A

COPY

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COMPLAINT

COMES NOW, the plaintiff, Joshua Lambert, by and through legal counsel, and makes his Complaint against the defendants, Federal Express Corporation, and John Does 1 and 2, and for cause of action would respectfully show unto the court the following, to-wit:

PARTIES AND JURISDICTION

I.

The plaintiff, Joshua Shane Lambert, is an adult bona fide resident citizen of Lincoln County, Mississippi residing at 1855 Buttercup Trail, SW, Bogue Chitto, Mississippi 39643.

The defendant, Federal Express Corporation, is a foreign corporation licensed to do business in the State of Mississippi, and in so doing business in the State of Mississippi, and may be served with process of this court by way of serving its registered agent for service of process, CT Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232.

The defendants, John Does 1 and 2, are presently unknown to the plaintiff, and the plaintiff reserves the right to amend his Complaint pursuant Rule 15 of the Mississippi Rules of Civil Procedure to name additional defendants as their identity becomes known.

The events, facts, or circumstances from which this cause of action accrues, all occurred in Lincoln County, Mississippi.



FACTS

II.

The plaintiff would show unto the court that on or about June 22, 2020, at approximately 7 p.m. the plaintiff was operating his motor vehicle in a safe, prudent, and reasonable fashion westbound on Bogue Chitto Road, approximately one-quarter mile from Gatlin Feed, when the motor vehicle owned by the defendant, Federal Express Corporation, crossed over into his lane of travel forcing his vehicle off the roadway. The plaintiff would show unto the court that as a direct and proximate result of the defendant's driver's negligence his vehicle was forced off the roadway causing it to flip over several times before finally coming to rest in the eastbound ditch of Gatlin Road.

CAUSES OF ACTION

III.

The plaintiff would show unto the court that the defendant, Federal Express Corporation's driver was negligent in the following respects:

- a. Failing to do that which a reasonable and prudent person would do under like or similar circumstances;
- b. Doing that which a reasonable and prudent person would not do under like or similar circumstances;
- c. Failing to maintain its vehicle in the proper lane of travel;
- d. Driving in the wrong lane of travel in violation of § 63-3-601 of the *Mississippi Code of 1972 Annotated as Amended*;
- e. Failing to maintain proper control of his motor vehicle;

f. Any and all other causes of action which may be discovered during the course of discovery of the trial of this matter.

DAMAGES

IV.

The plaintiff would show unto the court that as a direct and proximate result of the defendant driver's action that he has and will sustain pass, present, and future mental and physical pain and suffering; past, present, and future medical expenses; loss wages, and property damage all for which he is entitled to compensation of, from, and against the defendants herein jointly and severally.

V.

The plaintiff would show unto the court that the actions on part of the defendants evidence a willful, wanton, and reckless disregard for the rights and sensibilities of others, or constitutes gross negligence, and due to such conduct, the plaintiff should be awarded punitive damages.

WHEREFORE, PREMISES CONSIDERED, the plaintiff prays that the clerk would accept and file this his Complaint, issue process on the defendants herein, in accordance with law, and upon a trial hereon, that he be awarded compensation in a sum which would reasonably compensate him for his losses sustained, cost of court, and legal interest thereon.

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Respectfully submitted on this the 15th day of October, 2020.

JOSEPH LAMBERT

BY

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